

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STIPULATION

PIERRE J. FOXX,
RESPONDENT.

Order 0000001

Division of Enforcement Case #07 RSG 71

It is hereby stipulated between the above Respondent and the undersigned prosecuting attorney for the Division of Enforcement of the Department of Regulation and Licensing, as follows:

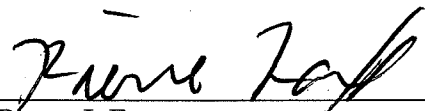
1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives significant rights, including: the right to a hearing on the allegations against Respondent, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against Respondent; the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena; the right to testify personally; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided an opportunity to obtain advice legal counsel prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Department. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Secretary or designee, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Secretary or designee, the parties agree not to contend that the Secretary or designee has been prejudiced or biased in any manner by consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Secretary, without the presence of the

Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that the Secretary or designee may have in connection with the consideration of the Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's final decision and order is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Department adopt this Stipulation, the Department's Final Decision and Order would constitute an agency finding within the meaning of Wis. Stats. §§ 48.685 and 50.065. Should Respondent wish to work in a Wisconsin DHFS-licensed facility, he will need to pass a Rehabilitation Review through DHFS prior to commencement of such employment.

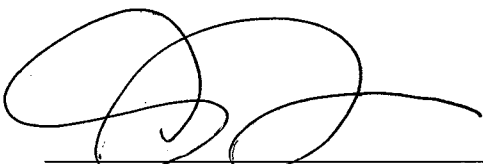
9. The Division of Enforcement joins Respondent in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.



Pierre J. Foxx
1525 N. 24th St. Apt 401
Milwaukee, WI 53205

8-20-09

Date



Arthur Thexton, Prosecuting Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

8/26/09

Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

PIERRE J. FOXX,
RESPONDENT.

ORDER 00000001

Division of Enforcement Case #07 RSG 71

The parties to this action for the purposes of Wis. Stat. § 227.53, are:

Pierre J. Foxx
1525 N. 24th St. Apt 401
Milwaukee, WI 53205

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department. The Secretary or designee has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation in this matter, and makes the following:

FINDINGS OF FACT

1. Respondent Pierre J. Foxx, (d.o.b. 03/21/81), was at all times relevant to the facts set forth herein a private security person credentialed in the State of Wisconsin pursuant to permit #28661, originally granted on 6/9/05, and expired on 8/31/08. Respondent has the right to renew his permit upon payment of fees, until 8/31/13.
2. On 8/18/08, Respondent was convicted in the Circuit Court for Milwaukee County, of two counts of misdemeanor 4th Degree Sexual Assault, growing out of an incident which occurred on 11/10/07. Respondent met a woman while on duty as a private security person at a mental health care facility, and while on duty asked her to wait for him to get off duty; immediately following his shift he engaged in the activities leading to his conviction.
3. When contacted by a department investigator, Respondent failed to provide a requested response to the allegations made in this matter.

CONCLUSIONS OF LAW

A. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. §440.26(6), and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

B. The conduct described in paragraph 2, above, violated Wis. Stat. § 440.26(6)(a)1. and 2, and Wis. Adm. Code § RL 35.01(2) and (23). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

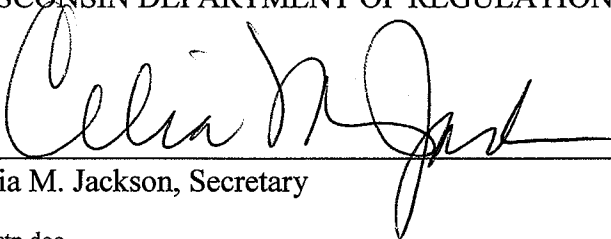
IT IS FURTHER ORDERED, that the right to renew the permit of Pierre J. Foxx to be a private security person is REVOKED, for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that Respondent shall not renew or attempt to renew his permit, and shall not work or attempt to work in any capacity where a permit as a private security person is required.

IT IS FURTHER ORDERED, that the Costs in this matter, totaling \$615, are waived.

Dated this 25th, 2009.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING, by:

A handwritten signature in black ink, appearing to read "Celia M. Jackson", is written over a horizontal line.

Celia M. Jackson, Secretary